

**REMARKS**

Claims 22-32, 34-39, 43 and 44 are pending in the application. By this Amendment, claims 22 and 24 are amended. Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks is respectfully requested.

**I. FORMAL MATTERS**

A. Claim 27

The Office Action objects to claim 27 as allegedly indefinite. The Office Action asserts that the wording “the hook” should be inserted on line 7 of this claim. Applicant respectfully disagrees.

Claim 27 depends from claim 22 and recites that a closing spring is tensioned and that a gripping device is pressed against a part of the frame by the closing spring at a contact point when the door lock is in an open position. Figure 2 of the present application illustrates the door lock in the open position. As shown in Figure 2, the closing spring 16 presses against the closing member 12 when the door lock is in the open position. Because the closing member 12 is connected to the gripping device 20, the tension from the closing spring 16 pushes the backside of the gripping device against the portion of the frame identified with reference numeral 26. The point of contact between the back surface of the gripping device 20 and the frame 26 is considered the contact point. This contact point would be located just above the corner of the frame 44.

Claim 27 further recites that the gripping device has a gripping latch into which a hook is guided when it passes through an opening in the frame. Claim 27 also recites that the latch has a contact surface onto which the incoming hook presses. As illustrated in Figure 2, the gripping device 20 includes a gripping latch 34. When the hook 49 enters the opening in the frame 36, the hook 49 will push against a contact surface 42 in the gripping latch 34 of the gripping device 20.

Applicant notes that claim 27 recites both a “contact point,” referring to the point where the back side of the gripping device 20 contact the frame 26, and a “contact

surface" which is the contact surface 42 in the gripping latch 34 of the gripping device 20.

Claim 27 goes on to recite that the contact between the hook 49 and the contact surface 42 in the gripping latch 34 causes movement of the gripping device 20. Claim 27 recites that the gripping device 20 is shaped so that it rotates and loses contact with the contact point as the hook presses into the gripping device. Claim 27 recites that the closing spring thereafter presses the gripping device into a new position which latches the door lock in the closed position.

With reference to Figures 2 and 3, as the hook 49 presses into the gripping latch 34 of the gripping device 20, it causes the gripping device 20 to rotate from the position illustrated in Figure 2 to the position illustrated in Figure 3. The rotation of the gripping device 20 eventually aligns the back side of the gripping device 20 so that the slide edge 30 of the gripping device passes the corner of the frame 44. After this amount of rotation of the gripping device has occurred, the closing spring 16 pushes the closing member 12 and the attached gripping device 20 into the position illustrated in Figure 3.

As explained above, claim 27 in its current condition is internally consistent. Accordingly, it is respectfully submitted that there is no need to add any additional language to claim 27. Withdrawal of the objection to claim 27 is respectfully requested.

**B. Rejections Under §112, Second Paragraph**

The Office Action rejects claims 24, 26, 31 and 32 under 35 USC §112, second paragraph, as allegedly indefinite. The rejection is respectfully traversed.

By this Amendment, claim 24 has been amended to correct the informalities noted in the Office Action. Accordingly, it is believed that the amended version of claim 24 is now proper under §112.

Claim 26 recites that the locking head of the means for selectively blocking has a conical shape. Claim 26 indicates that when very high forces act on the closing member, angled contact between the circumferential surface of the locking head and a bearing

surface of the recess of the closing member generate a normal force that causes the means for selectively blocking to move into the second position

Claim 26 describes a situation where a user is attempting to force the door of the appliance to open without manually moving the locking head from the first position to the second position. As explained in claim 26, because the locking head has a conical shaped surface, contact between the angled surface of the conical locking head and a bearing surface of the recess in the closing member will generate a force that tends to move the locking head from the first position to the second position. If a sufficient amount of force is applied, that normal force will cause the locking head to move from the first position to the second position so that the closing member is allowed to move to the open position.

In view of this explanation, it is believed that claim 26 is proper under §112, second paragraph

The Office Action objects to claim 31 as depending from claim 28. The Office Action asserts that Applicant intended for claim 31 to only read upon a mechanism as illustrated in Figures 10 and 11. This was not Applicant's intent. Applicant has always intended for claims 31 and 32 to read upon a mechanism as illustrated in Figures 2-5 of the application. As explained in the previous reply, the fact that claim 31 recites a handle with a gripping shell does not mean that claim 31 cannot read upon an embodiment as illustrated in Figures 2-6.

In view of all the foregoing, withdrawal of the rejection of claims 24, 26, 31 and 32 under §112 is respectfully requested.

## **II. THE CLAIMS ARE ALLOWABLE OVER DIRNBERGER**

The Office Action rejects claims 22-25, 28-32, 34-39, 43 and 44 under 35 U.S.C. §102(b) over Dirnberger (German Patent Publication No. 19601228). The rejection is respectfully traversed.

Claim 22 has been amended to recite that the frame of the door lock is located on the door of the appliance. Claim 22 has also been amended to recite that the gripping device can be gripped and moved by a user to open the door lock.

The Office Action attempts to read the language of claim 22 onto the mechanism illustrated in Figures 1, 2, 5 and 6 of the Dirmberger reference. In view of the changes to independent claim 22, it is respectfully submitted that amended claim 22 cannot be read upon the mechanism illustrated in Dirmberger.

To begin with, the mechanism illustrated in Figures 1 and 2 of Dirmberger is not a part of the door of the appliance. Instead, the entire mechanism illustrated in Figures 1 and 2 would be a part of the main body or housing of the device. For at least this reason, it is respectfully submitted that claim 22 is allowable over Dirmberger.

Moreover, the Office Action indicates that the gripping device recited in claim 22 would correspond to the element identified with reference numeral 10b in Figures 5 and 6 of Dirmberger. Here again, the element identified with reference numeral 10b is not located on the door. More importantly, this portion of the Dirmberger mechanism cannot be gripped by a user, nor can it be moved by a user in order to open the door lock. The element identified with reference numeral 10b in Dirmberger is a stationary, non-moving portion of the main body of the appliance which is not accessible to the user. In view of the foregoing, it is respectfully submitted that claim 22 is allowable over Dirmberger.

Claims 23-25, 28-32, 34-39, 43 and 44 depend from claim 22 and are allowable for at least the same reasons, and for the additional features which they recite.

For instance, claim 28 depends from claim 22 and recites that the locking head of the means for selectively blocking is fixed to a pivoted shaft by means of a pivoted lever so that the locking head of the means for selectively blocking can execute a rotary movement between the first position and the second position. The element in the Dirmberger mechanism which corresponds to the claimed locking head is the element identified with reference numeral 14. The element identified with reference numeral 14 does not execute any type of rotary movement as it moves between a first position and a second position. The element identified with reference numeral 14 clearly slides in a

linear fashion between first and second positions. It is respectfully submitted that claim 28 is allowable for this additional reason.

Claim 32 depends from claims 28, 30 and 31. Claim 32 recites that the adjusting lever is used to fix the means for selectively blocking in the second position for a continuous deactivation of the child safety feature. The Office Action asserts that this can be accomplished with the Dirnberger mechanism. However, as is evident from the language used in the Office Action itself, this is not the case. Under the Examiner's interpretation, the lever identified with reference number 80 in Dirnberger is said to correspond to the claimed adjusting lever. However, the moment that a user releases the lever 80, the Dirnberger mechanism would return to a situation where the child safety feature can be activated. There is no provision in the Dirnberger mechanism for fixing the selectively blocking element in the second position so that the child safety feature can be continuously deactivated. It is respectfully submitted that claim 32 is allowable for these additional reasons.

Claim 44 depends from claim 22 and recites that the gripping device is pivotally mounted on the closing member. Under the Examiner's interpretation of the Dirnberger mechanism, the element identified with reference numeral 10b in Figures 5 and 6 corresponds to the recited gripping device. As explained above, this element never moves. Moreover, it is clear that this device is certainly not pivotally mounted on the closing member, which is the element identified with reference numeral 22. It is respectfully submitted that claim 44 is allowable for these additional reasons.

In view of all the forgoing, withdrawal of the rejection over Dirnberger is respectfully requested.

### **III. CLAIMS 22 AND 27 ARE ALLOWABLE**

The Office Action rejects claims 22 and 27 under 35 U.S.C. §103(a) over Nozomu (U.S. Patent No. 3,799,596), in view of Dirnberger. The rejection is respectfully traversed.

As noted above, claim 22 is allowable over Dirnberger. Claim 27 depends from claim 22 and is allowable for the same reasons. Moreover, the Nozomu reference fails to cure the deficiencies of Dirnberger. Accordingly, it is respectfully submitted that claims 22 and 27 are allowable over both Nozomu and Dirnberger. Withdrawal of the rejection is respectfully requested.

**IV. CLAIM 26 IS ALLOWABLE**

The Office Action rejects claim 26 under 35 U.S.C. §103(a) over Dirnberger, in view of Devereaux (U.S. Patent No. 2,046,612). The rejection is respectfully traversed.

Claim 26 depends from claim 22 and is allowable over Dirnberger for all the reasons discussed above. The Devereaux reference fails to cure the deficiencies of Dirnberger. Accordingly, it is respectfully submitted that claim 26 is allowable over both Dirnberger and Devereaux for all the reasons discussed above, and for the additional features which it recites. Withdrawal of the rejection is respectfully requested.

V. CONCLUSION

In view of the above, entry of the present Amendment and allowance of the claims are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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